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| 09/867,651      | 05/31/2001  | Michael Anthony Sijacic | 06502.0341          | 7980             |

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WASHINGTON, DC 20005

EXAMINER

JAKETIC, BRYAN J

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3627

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/867,651

Applicant(s)

SIJACIC ET AL.

Examiner

Bryan Jaketic

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-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-86 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claim 4 is objected to because of the following informalities: in the last line of the claim, "or the entry" should presumably be --of the entry--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 101*

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-25 and 31-61 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basis of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technological arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

For a claimed invention to be statutory, the claimed invention must be within the technological arts. Mere ideas in the abstract (i.e., abstract idea, law of nature, natural phenomena) that do not apply, involve, use, or advance the technological arts fail to promote the "progress of science and the useful arts" (i.e., the physical sciences as opposed to social sciences, for example) and therefore are found to be non-statutory subject matter. For a process, the recited process must somehow apply, involve, use, or advance the technological arts.

In the present case, claims 1-25 and 31 do not apply, involve, use, or advance the technological arts. The claimed methods could be performed manually without the use of a computer or other technological instrument. Examiner suggests reciting the use of a computer in the body of the claim to meet the technological arts requirement.

Regarding claims 32-61, the mere recitation of the technological arts in the preamble does not confer statutory subject matter to an otherwise abstract idea unless there is positive recitation in the claim as a whole to breathe life and meaning into the preamble. In the present case, none of the recited steps are directed to anything in the technological arts as explained above with the exception of the recitation in the preamble that the method is "computer-implemented" or that there is a "computer-readable medium". Looking at the claim as a whole, nothing in the body of the claim recites any structure or functionality to suggest that a computer performs the recited steps. Therefore, the preamble is taken to merely recite a field of use.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of Guzelsu. Anderson discloses a method for facilitating electronic business transactions comprising providing an invoice (182), determining an individual

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with authority to approve the entry based on the invoice type (see columns 6-8; describing steps wherein the invoice is sent to a customer for approval based on a value of the invoice). The entry is made available to the determined individual, and an indication is received from the individual reflecting a decision on whether to approve the entry (see col. 8, line 48 through col. 9, 31). Anderson does not teach that the invoice has a plurality of entries. Guzelsu discloses a method for facilitating electronic business transactions comprising the step of providing an invoice with a plurality of entries (68), wherein for each entry, an indication reflecting a decision is received on whether to approve the entry (see col. 3, lines 30-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Guzelsu with the invention of Anderson to employ invoices with a plurality of entries for administrative convenience.

Anderson further teaches the step of determining an association between an individual and a respective purchasing entity identified by the entry type (see, for example, col. 7, Table 4); and determining an individual with authority to approve the entry based on the determined association (see col. 7, line 54 through col. 9, line 31).

Anderson does not teach the steps of determining a second individual with authority to approve the decision, making the entry available to the second individual, and receiving a second decision from that individual. However, it is common in the art to require secondary approval for purchases. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the steps required for secondary approval for security purposes.

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Anderson does teach the step of determining the value of invoices (see columns 6-8), and automatically approving the invoice based on the determined value (see col. 7, Table 3). Again, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Guzelsu to employ invoices with multiple entries for to make determinations on a line-by-line basis for efficiency purposes.

Anderson does not teach the step of employing an in-box. However, in-boxes are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ an in-box to facilitate the approval process.

### ***Conclusion***

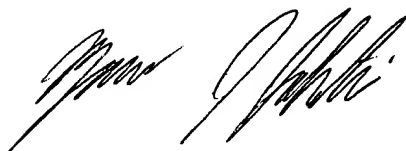
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Randle et al, Peterson et al, and Cross disclose invoice approval systems. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Jaketic whose telephone number is (703) 308-0134. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703)308-5183. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

bj

A handwritten signature in black ink, appearing to be "James J. [unclear]".